

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

Arbitration Case No. 102 of 2021

Date of decision: 5th May, 2023

Saint Soldier Engineers and Contractors Pvt. Ltd.

Petitioner

Versus

Union of India and others

Respondents

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. P. S. Rana, Advocate for the petitioner.
Mr. Arvind Seth, Advocate for the respondents.

AVNEESH JHINGAN, J (Oral):

1. This is a petition under Section 11 of the Arbitration and Conciliation Act, 1996 (for short, 'the Act') for appointment of an arbitrator for adjudication of disputes between the parties.
2. The petitioner was allotted tender for execution of work of provision of Sports Infrastructure at Air Force Station Adampur. Clause 70 of the general terms and conditions provides for dispute resolution through arbitration.
3. The petitioner issued notice dated 11.11.2019 for appointment of arbitrator. On failure to do the needful, the present petition was filed.
4. Learned counsel for the respondents submits that liberty be granted to raise all the issues in arbitration proceedings.
5. The petition is accordingly disposed of by appointing Mr. Harinderpal Singh Mahal, District & Sessions Judge (Retd.), H. No. 1130, Sector 21-B, Chandigarh as the sole arbitrator. The arbitrator is appointed subject to declaration to be made by him under Section 12 of the Act with regard to his independence and impartiality to settle the dispute between the parties.
6. The arbitrator shall be paid fee in accordance with the Fourth Schedule of the Act, as amended.

7. The arbitrator is requested to complete the proceedings as per time limit specified under Section 29A of the Act.
8. It is clarified that the reference shall be subject to the petitioner's complying with all the requirements of the agreement.
9. Needless to say that respondent will be at liberty to raise all the issues in arbitration proceedings.
10. Copy of the order be sent to the appointed arbitrator.

[AVNEESH JHINGAN]
JUDGE

5th May, 2023
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| 1. Whether speaking/ reasoned | : | Yes / No |
| 2. Whether reportable | : | Yes / No |